

## REMARKS

The present amendment serves to include language from original claim 20 and at page 1/ln 16 to make it clear that the two conductors are separated by spacers that prevent contact in the absence of external deformation. This clearly distinguishes the multilayer from one where the two layers are permanently separated from each other. In imageable elements, two layers would not be subject to contact by external deformation, while in the case of a touchscreen, contact can be made by such deformation.

Claims 1-5, 13-15, 19-21, 30-32 and 40-41 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Welsh et al., U.S. Patent Number 6,469,267 in view of Patel et al., U. S. Patent Number 6,451,505. According to the Examiner, Welsh discloses a sensor or touchscreen that comprises a transparent cover sheet having a first conductive layer containing an intrinsically conductive polymer such as polyethyelendioxythiophene and spacer dots as per instant claims 1-5, 13, 20-21, 23-25 and 30-32 (see column 2, lines 14-40; Figure 7 and column 4, lines 1-50). Additionally, the Welsh reference discloses that a second conductive layer separated from the first conductive layer by spacer dots as per instant claim 1 (see Figure 7). The Welsh reference does not disclose the use of a film forming binder in the first conductive layer or the use of a polyanion in the multilayer as per instant claims 14 and 15. Patel teaches an imageable element comprising a first and second conductive layers wherein a polythiophene polymer is used (see column 11, lines 1-25). Additionally, the Patel reference teaches that the first conductive layer absorbs actinic radiation and comprises a film forming resin such as vinyl acetate, polyhydroxy or polysulfonic acids as per instant claims 1, 14-15 and 19 (see column 4, lines 48-50 and column 9, lines 4-12). The use of a film forming binder is useful for photosensitive compositions. Therefore, it would have been obvious to one of ordinary skill in the art to use a film forming resin in the first conductive layer to absorb radiation in the UV, visible or both spectral ranges as per instant claims 40-41 (see Patel column 3, line 5-1column 4, line 60).

Claims 1, 5-12, 16-18 and 22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Welsh et al., U. S. Patent Number 6,469,267 in view of Patel et al., U.S. Patent Number 6,451,505 and in further view of

Comiskey et al., U. S. Patent Number 6,473,072. According to the Examiner, Welsh discloses a sensor or touchscreen that comprises a transparent cover sheet having a first conductive layer containing an intrinsically conductive polymer such as polyethyelendioxythiophene and spacer dots as per instant claim 1 (see column 2, lines 14-40; Figure 7 and column 4, lines 1-50). Additionally, the Welsh reference discloses that a second conductive layer separated from the first conductive layer by spacer dots as per instant claim 1 (see Figure 7). The Welsh reference does not disclose the use of a film forming binder in the first conductive layer in the multilayer as per instant claim 1. Patel teaches an imageable element comprising a first and second conductive layers wherein a polythiophene polymer is used (see column 11, lines 1-25). Additionally, the Patel reference teaches that the first conductive layer absorbs actinic radiation and comprises a film forming resin such as vinyl acetate as per instant claim 1 (see column 4, lines 48-50 and column 9, lines 4-12). The use of a film forming binder is useful for photosensitive compositions. Therefore, it would have been obvious to one of ordinary skill in the art to use a film forming resin in the first conductive layer to absorb radiation in the UV, visible or both spectral ranges as per instant claims 40-41 (see Patel column 3, line 51-column 4, line 60).

In Welsh, spacer dots **26** of Welsh are said to be of a type well-known to the skilled artisan and are disposed on one of the surfaces **18** or **24** of one of the conductors. (col. 3/66 - 4/13) There is no suggestion of spacer elements embedded in and projecting from a deformable first conductive layer as claimed. The imageable element of Patel et al. is not related to the touchscreen of the present invention. Patel's conductive element absorbs actinic radiation which is not a property of a touchscreen. Patel would not have an arrangement where the two conductors are selectively brought into contact by external deformation as in a touchscreen. It is not clear that one seeking to design a touch screen would turn to a patent on an imageable element for assistance.

Comiskey describes capsules that apparently serve as spacer elements but these are not embedded and so Comiskey does not cure the defective teachings in Welsh and Patel.

In view of the foregoing amendments and remarks, the Examiner is respectfully requested to withdraw the outstanding rejection and to pass the subject application to Allowance.

Respectfully submitted,



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